

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 4:19-cr-00182-DGK

v.

Kansas City, Missouri

May 28, 2019

IESHA T. BOLES,

CRIMINAL

Defendant.

.....

TRANSCRIPT OF WAIVER OF INDICTMENT AND PLEA OF GUILTY
BEFORE THE HONORABLE DAVID GREG KAYS
UNITED STATES DISTRICT COURT JUDGE

Proceedings recorded by electronic stenography
Transcript produced by computer

APPEARANCES:

For the Plaintiff:

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For the Defendant:

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1 (Proceedings commenced at 3:18 p.m.)

2 THE COURT: All right. This is case 19-182-01,
3 United States of America versus Ms. Iesha T. Boles. Welcome,
4 Ms. Boles. Ms. Boles appears with her attorney in this case,
5 Mr. Dave Kelly. Also appearing today is Assistant United
6 States Attorney Mr. Brad Kavanaugh. Also appearing is Special
7 Agent Jeffrey Brack from ATF. Welcome. And United States
8 Probation Officer Mr. Brant Bruner.

9 This case is called today for a waiver of indictment
10 and a waiver of arraignment and plea of guilty. Mr. Kelly, I
11 think have you indicated that your client has difficulty
12 standing, sir?

13 MR. KELLY: She does, your Honor. Unlike the
14 previous defendant that was in here, I've actually taken her to
15 the -- she goes to the dialysis clinic three times a week. And
16 I've actually seen her go in, and it's a real thing. She's got
17 a PICC line in.

18 THE COURT: Okay.

19 MR. KELLY: And so between the dialysis and the
20 cardiovascular disease, she does have trouble standing for long
21 times.

22 THE COURT: Could she stand long enough to take an
23 oath?

24 MR. KELLY: Oh, sure.

25 THE COURT: Ms. Boles, would you please stand, raise

1 your right hand, face our clerk and be sworn.

2 (The defendant was sworn by the courtroom deputy.)

3 THE COURT: All right. Please have a seat. And,
4 Mr. Kelly, we're going to allow her to be seated. One of the
5 reasons we like for people to stand is so the judge can hear,
6 so if you'll make sure she speaks in a clear voice and help us
7 with that, I'd appreciate it.

8 MR. KELLY: I will, Judge.

9 THE COURT: Ma'am, would you please begin by
10 speaking your full name and spelling your last name for us.

11 THE DEFENDANT: Iesha T. Boles, B-O-L-E-S.

12 THE COURT: Ms. Boles, a couple of things before we
13 get started. You understand -- I know Mr. Kelly explains
14 things very well, but if you have any questions during the
15 course of this case, it will be very important for you to stop
16 us and let us know you have a question. Will you do that?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Also, you've just taken an oath, which
19 means you must tell the truth. If you fail to tell the truth,
20 you can be prosecuted in a separate case for the crime of
21 perjury. Do you understand that?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Also, if you plead guilty today, you
24 can't come back later and withdraw your plea of guilty. Do you
25 understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: So there are a couple of things we need
3 to talk about. Mr. Kelly has provided to me a waiver of
4 indictment which appears to have your signature. Did you sign
5 this waiver of indictment?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Did you sign this to indicate to me that
8 you are going to waive your right for a grand jury to hear your
9 case and decide if there's enough evidence to proceed? You're
10 waiving that Constitutional right. You understand that?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Do you have any questions about that
13 waiver?

14 THE DEFENDANT: No, sir.

15 THE COURT: Is that your desire, to waive this?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Okay. At this time I'll accept your
18 waiver of indictment. Also, since this is an indictment, that
19 means that we have an information filed in this case.

20 Mr. Kelly, do you wish to have your client formally
21 arraigned in this case?

22 MR. KELLY: No, your Honor. We would waive formal
23 reading. Also indicate that we have received well in advance
24 of today a copy of the proposed information that has been
25 provided to the Court. I also have a copy, so does my client,

1 so we would waive formal reading, enter a temporary plea of not
2 guilty, ask that bond be continued, and then we would ask that
3 the Court move to a plea of guilty.

4 THE COURT: Are you comfortable your client
5 understands this information, Mr. Kelly?

6 MR. KELLY: I do, Judge.

7 THE COURT: The information is a charging document
8 that we use in lieu of indictment. Ms. Boles, do you have any
9 question about the information in this case?

10 THE DEFENDANT: No, sir.

11 THE COURT: You've had a chance to talk to your
12 attorney, and you're comfortable that you understand everything
13 in this information, true?

14 THE DEFENDANT: Yeah.

15 THE COURT: Okay. So this is the charge: The
16 charge you're pleading guilty to is conspiracy to make false
17 statements during purchase of firearms. And the range of
18 punishment for that charge... Let's see if I can find this
19 here. It's on Paragraph 5, I believe. The maximum penalty is
20 not more than five years imprisonment, a \$250,000 fine, three
21 years of supervised release, and a \$100 mandatory special
22 assessment. Upon your plea of guilty, you could be sentenced
23 anywhere within the range -- this range of punishment. Do you
24 understand that?

25 THE DEFENDANT: Yes, I do.

1 THE COURT: Ms. Boles -- am I pronouncing your name
2 correctly? Is it Boles?

3 THE DEFENDANT: Yes.

4 THE COURT: B-O-L-E-S?

5 THE DEFENDANT: Yes.

6 THE COURT: Where are you from?

7 THE DEFENDANT: Kansas City, Missouri.

8 THE COURT: What's the highest level of education,
9 ma'am, that you've --

10 THE DEFENDANT: I graduated high school.

11 THE COURT: Does that mean, ma'am, that you have the
12 ability to read and write?

13 THE DEFENDANT: I'm sorry?

14 THE COURT: Do you have the ability to read and
15 write?

16 THE DEFENDANT: Yes.

17 THE COURT: I'll make you a deal. I'll speak in the
18 microphone if you speak in the microphone.

19 THE DEFENDANT: Yes.

20 THE COURT: I'm sorry, I forgot to do that, too, Ms.
21 Boles.

22 What kind of work do you do, Ms. Boles?

23 THE DEFENDANT: I don't. I get SSI.

24 THE COURT: You're receiving SSI. Are you disabled?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: How long have you been disabled, ma'am?

2 THE DEFENDANT: Oh, you're playing with my brain. I
3 want to say '08.

4 THE COURT: '08. Did you work before that, ma'am?

5 THE DEFENDANT: No, sir.

6 THE COURT: Why not?

7 THE DEFENDANT: I was getting welfare.

8 THE COURT: Okay. So in '08, you became disabled,
9 and what's the nature of your disability?

10 THE DEFENDANT: What's...

11 THE COURT: What is it that made you disabled? What
12 do you suffer from that makes you disabled?

13 THE DEFENDANT: I had a heart attack in my early
14 30's.

15 MR. KELLY: A heart attack, Judge.

16 THE COURT: A heart attack in your early 30's?

17 THE DEFENDANT: Uh-huh. I had a stent put in my
18 chest. Or, rather, Truman Hospital put a stent in my chest in
19 my early 30's.

20 THE COURT: So let's talk about your physical
21 health, right?

22 THE DEFENDANT: Uh-huh.

23 THE COURT: So since you had a heart attack, do you
24 have any heart-related issues that you deal with today? I want
25 to talk about today, what you suffer from today. What ails you

1 today, ma'am? Let's go slow because I'm going to write all
2 this down. Okay?

3 THE DEFENDANT: Oh, uhm...

4 THE COURT: You're on dialysis, so you have --

5 THE DEFENDANT: Yes, I'm on dialysis.

6 THE COURT: Let's talk about that.

7 THE DEFENDANT: I have heart problems. I'm HIV
8 positive. What else? That's really it.

9 THE COURT: Okay. Do you have trouble standing
10 because of your heart problems and your dialysis?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Okay. How often do you undergo kidney
13 dialysis?

14 THE DEFENDANT: Three days a week, sir; Monday,
15 Wednesday and Friday.

16 THE COURT: How long have you been taking dialysis?

17 THE DEFENDANT: Since February -- I started February
18 of this year.

19 THE COURT: And do you take any other medications
20 related to the kidney dialysis?

21 THE DEFENDANT: Yes, I do. I've got the name of the
22 medicine that they have me on, but I have it at home.

23 THE COURT: Is it one medicine?

24 THE DEFENDANT: It's -- I believe it's two different
25 ones.

1 THE COURT: Two different medicines, and it helps
2 your kidney function?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Let's talk about the HIV. Do you take
5 medications for that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Do you know what you take for that,
8 ma'am?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Can you speak it for the record?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Okay. What?

13 MR. KELLY: What's the name of the drug?

14 THE DEFENDANT: Oh. Tivicay is one of them.

15 THE COURT: Tivicay?

16 THE DEFENDANT: Yes. And I forgot the other one.

17 THE COURT: Okay. And these are both --

18 THE DEFENDANT: HIV meds.

19 THE COURT: And then your heart problems, do you
20 take medication related to your heart problem, ma'am?

21 THE DEFENDANT: Yes, I do, but the medications for
22 that is at home also.

23 THE COURT: That's all right. That's all right.
24 Can you give me an idea how many medications you take and what
25 they address, what they deal with?

1 THE DEFENDANT: You're really playing my brain. I'd
2 have to bring you the list and all that good stuff from home my
3 next visit. I'd just have to bring everything.

4 THE COURT: Do you know how many? Can you give me a
5 guess.

6 THE DEFENDANT: 17. I know I'm on, like, 17
7 different meds.

8 THE COURT: You take 17 different medications just
9 for your heart?

10 THE DEFENDANT: Actually, it's not all just heart.
11 It's a little bit of everything.

12 THE COURT: Okay. These medications affect high
13 blood pressure, maybe? Is that fair?

14 THE DEFENDANT: I need to be on my high blood
15 pressure meds, but I'm not on my high blood pressure meds
16 because I'm having problems going to go get it from Truman.

17 THE COURT: So you take 17 medications. This
18 includes the two --

19 THE DEFENDANT: My HIV med. I'm sorry to cut you
20 off, sir, but it entails my HIV meds, my diabetic meds...

21 THE COURT: Okay. We didn't say anything about
22 diabetes.

23 THE DEFENDANT: I'm sorry. Yes, I'm a diabetic.

24 THE COURT: Okay.

25 THE DEFENDANT: Yes, I'm a diabetic. I'm sorry.

1 I'm insulin-dependent.

2 THE COURT: Okay. Does that -- so 17 medications
3 together, two for dialysis, two for HIV, and you don't know how
4 many for heart. Do you know how many for your diabetes?

5 THE DEFENDANT: I'm thinking maybe two or three,
6 because I know I take -- because I know I take gabapentin
7 because I have neuropathy in my feet.

8 THE COURT: Anything else?

9 THE DEFENDANT: No, sir.

10 THE COURT: That's enough, right?

11 THE DEFENDANT: Plus I'm asthmatic, too, and I'm on
12 an inhaler. That's one of the 17.

13 THE COURT: Okay. Very good. So all these 17
14 medications that you're taking, they're all prescribed by a
15 medical doctor; is that true?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And are you taking these consistent with
18 the recommended dosage by that doctor?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Do these medications, as you sit here
21 today, affect your ability to work with your attorney or
22 understand what we're doing here today?

23 THE DEFENDANT: No, sir.

24 THE COURT: In fact, if you didn't take them, that
25 might affect your ability to understand your attorney and

1 participate in this hearing. Is that fair?

2 THE DEFENDANT: Right.

3 THE COURT: Okay. Mr. Kelly, is it your opinion
4 your client is competent and clear-headed and able to
5 understand what we're doing, sir?

6 MR. KELLY: And, Judge, because of everything she
7 said, I just want to make a little bit more of a record rather
8 than saying I guess. I've been working with her pre-indictment
9 under the CJA appointment for, I want to say almost four months
10 now. I've had a chance to go and visit her in person at her
11 residence on, I want to say at least four occasions. And she
12 has no transportation, so I brought her here today, and that's
13 why I ended up taking her to Research that one day, because she
14 didn't have any transportation to get there.

15 THE COURT: Thank you, Mr. Kelly.

16 MR. KELLY: So I have interacted with her on a
17 number of different occasions. I've gone over the paperwork
18 with her well before today. She's had it for, I want to say
19 now somewhere going on 45 days. We've gone over it now on
20 three separate occasions. I did have some concerns initially
21 that there might be a problem with mental health, a
22 component -- not necessarily because she has any kind of mental
23 health issue but because of physical issues affecting the
24 mental. And honestly, it's been my experience that she's
25 pretty sharp and she takes care of herself the best she can. I

1 know it's a challenge, but mentally, every time I've met with
2 her and I've talked to her about everything, she tracks
3 100 percent. And if I was a psychologist, I'd probably say
4 something like she seems oriented to time, place and situation.
5 And on that basis, I think that, from what I've been able to
6 observe, I can say that she's mentally competent.

7 THE COURT: Thank you. Ms. Boles, have you ever
8 been diagnosed with any mental disability or mental issues?

9 THE DEFENDANT: No, sir.

10 THE COURT: All right. Have any other attorneys
11 other than Mr. David Kelly represented you in this case? Any
12 other attorneys other than Mr. Kelly?

13 THE DEFENDANT: No.

14 THE COURT: Are you satisfied with his services?

15 THE DEFENDANT: Yes, I am.

16 THE COURT: Do you have any --

17 THE DEFENDANT: I have no complaints with Mr. Kelly.

18 THE COURT: I'm sorry?

19 THE DEFENDANT: I have no complaints with Mr. Kelly.

20 THE COURT: Okay. Very good. So I know Mr. Kelly
21 does good work. There's one thing he can't do for you, Ms.
22 Boles. He can't make the decision to plead guilty. That's
23 your decision and your decision alone. Do you understand that?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Is it your decision, then, to plead

1 guilty here today?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Mr. Kavanaugh, pursuant to Lafler and
4 Frye, were there prior formal plea offers extended to this
5 defendant?

6 MR. KAVANAUGH: No, your Honor. This is the only
7 plea offer that was extended.

8 THE COURT: Do you agree with that, Mr. Kelly, this
9 is it?

10 MR. KELLY: That is accurate, Judge.

11 THE COURT: Ms. Boles, do you understand and do you
12 agree that this is the only formal plea offer the Government
13 gave to you? Is that true?

14 THE DEFENDANT: Yes.

15 THE COURT: Mr. Kavanaugh, sir, would you please
16 make a representation? I know there's a long fact scenario,
17 but if you could be brief, I would appreciate it. I'm
18 interested in what her role in the conspiracy was and all of
19 that, if you could help us with that.

20 MR. KAVANAUGH: Understood, your Honor. Between the
21 dates of July 7, 2014, and May 1, 2017, the defendant knowingly
22 conspired and agreed with James Samuels to transfer a total of
23 six firearms from Samuels to the defendant through a Federally
24 licensed firearms dealer. On each occasion, the defendant was
25 not the actual transferee or buyer. In addition, on each

1 occasion, the defendant knowingly made false statements as to
2 the identity of the actual buyer of each of the aforementioned
3 six firearms. These knowingly made false statements -- or the
4 requirements of the identity are required under ATF Form 4473
5 to the FFL in order to complete each of the transfers.

6 As to five of the six firearms that were
7 transferred, they were subsequently reported stolen by the
8 defendant between approximately two to 135 days after the
9 transfer, and the last firearm that was transferred was
10 actually reported stolen twice by the defendant.

11 THE COURT: And they weren't really stolen?

12 MR. KAVANAUGH: They weren't really stolen, your
13 Honor.

14 THE COURT: They were transferred to someone who
15 shouldn't have them?

16 MR. KAVANAUGH: That is correct, your Honor.

17 THE COURT: Under the law?

18 MR. KAVANAUGH: That is correct. The defendant knew
19 that she was not the actual transferee or buyer of each of
20 these firearms; nevertheless, she made the false representation
21 to the FFL that she would, in fact, be the transferee or buyer.

22 THE COURT: And she knew that the person who would
23 receive these guns were people who were not qualified to --

24 MR. KAVANAUGH: Well, the elements for making a
25 false statement during firearms purchase are as follows: One,

1 that the defendant knowingly made a statement or
2 representation, in this case, on an ATF Form 4473. Two, that
3 the defendant made the statement or representation to the
4 Federally licensed firearms dealer, which on each occasion that
5 occurred. Three, that the statement or representation was
6 false. And, four, that the defendant knew the statement or
7 representation was untrue when he or she made that statement or
8 representation.

9 That representation who's the actual transferrer or
10 buyer is required under ATF Form 4473, which is a form that an
11 FFL is required to maintain by Federal law.

12 THE COURT: Yes, sir. Okay.

13 Did you hear all that, Ms. Boles?

14 THE DEFENDANT: Yes.

15 THE COURT: Is that true?

16 THE DEFENDANT: I only bought nine guns. There
17 wasn't no 135.

18 MR. KELLY: I think she misheard that part, Judge.
19 He said six. I heard that. He was talking about six. So you
20 agree on the six?

21 THE DEFENDANT: Yes.

22 THE COURT: Well, you said nine. Do we need to look
23 at this for...

24 MR. KELLY: There were others that were --

25 THE COURT: There were others but not charged. I

1 understand. Okay. Thank you, Mr. Kelly.

2 So basically, Ms. Boles, let's make sure you and I
3 are on the same page here.

4 THE DEFENDANT: Yes, sir.

5 THE COURT: You're making representations to this
6 Federal firearms license person to buy guns, and you knew these
7 representations you were making were false at the time, true?

8 THE DEFENDANT: Yes.

9 THE COURT: You had no intention of possessing these
10 guns, or at least for the long-term. You knew that these guns
11 would go other places and you'd get money that way, I suspect.
12 Is that fair?

13 THE DEFENDANT: No.

14 THE COURT: What?

15 THE DEFENDANT: No.

16 THE COURT: That's not true?

17 THE DEFENDANT: Yeah, it is.

18 THE COURT: Okay. Well, listen --

19 THE DEFENDANT: Yeah, it is.

20 THE COURT: Are you all right?

21 MR. KELLY: She misheard again, Judge.

22 THE COURT: You've got your head down. I need you
23 to keep your head up, if you could, Ms. Boles. Are you able to
24 do that?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Because if your head's down and you're
2 talking, I'm not hearing, right?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Okay. So where did you buy these guns
5 at? Where was the geographic location?

6 THE DEFENDANT: It was in Kansas City. Basically,
7 it was in North Kansas City.

8 THE COURT: North Kansas City?

9 THE DEFENDANT: Uh-huh. It was a gun shop.

10 THE COURT: Did you buy it from the same gun shop in
11 North Kansas City?

12 THE DEFENDANT: The same -- Samuel took us to the
13 gun shop.

14 THE COURT: Samuel took you to the gun shop in North
15 Kansas City?

16 THE DEFENDANT: Yes. Yes, he took us to the gun
17 shop, and that's when we -- he helped me purchase the gun.

18 MR. KAVANAUGH: Your Honor, and as contained in more
19 detail under Paragraph 3 of the plea agreement, there were
20 multiple Federally firearms licensed dealers that the defendant
21 and her co-conspirator went to. There was the Conceal and
22 Carry FFL, which is again in the Western District of Missouri.
23 There was --

24 THE COURT: Now, you say Western District. Could
25 you give me -- is it Kansas City, MO, or --

1 MR. KAVANAUGH: Yes, your Honor. 12004 East 47th
2 Street, Kansas City, Missouri.

3 THE COURT: Okay.

4 MR. KAVANAUGH: Then there was C&R Sales at 1703
5 South Noland Road, Independence, Missouri, again within the
6 Western District of Missouri. And then I believe what Ms.
7 Boles was referring to was the Mission Ready Gun Works --

8 THE DEFENDANT: Yes.

9 MR. KAVANAUGH: -- located at 1924 Lynn Street,
10 Kansas City, Missouri. That's in North Kansas City, Missouri.

11 THE DEFENDANT: Yes, sir. I do remember that one.

12 THE COURT: Thank you.

13 All right, Ms. Boles, so you agree with North Kansas
14 City. Did you help facilitate and give a false statement on
15 the sale of a gun in Independence, Missouri, at C&R Sales?

16 THE DEFENDANT: No, sir.

17 THE COURT: Okay, you didn't do that one. What
18 about the Conceal and Carry gun place in KCMO? Did you give a
19 false statement to get a gun in the Conceal and Carry business?

20 THE DEFENDANT: Uh-huh.

21 THE COURT: Could you say yes or no?

22 THE DEFENDANT: Yes.

23 THE COURT: We're picky. We're writing everything
24 down, Ms. Boles, so I've gotta hear you and we've gotta have a
25 yes or no. And the C&R Sales in Independence --

1 THE DEFENDANT: Yes.

2 THE COURT: -- you do recall going there?

3 THE DEFENDANT: Yes.

4 THE COURT: And all these places were places that
5 you gave false statements, got guns, and then they went down
6 the road to someone else, true?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Okay. Mr. Kavanaugh, I'm hoping you
9 think we've covered everything with her so far. We can go
10 anywhere we need to go. Anything else?

11 MR. KAVANAUGH: We've covered the six firearms, the
12 three locations, all occurred within the Western District of
13 Missouri, and that she knowingly made false representations on
14 a Form ATF 4473 in order to effectuate each of those. I
15 believe that is the elements of the crime.

16 THE COURT: Yes, sir. Okay.

17 So we're clear, Ms. Boles, I think you already said
18 this, you knew when you filled out that form you were telling a
19 lie? It was not true, and you knew it, and you wanted them to
20 believe that it was true, though; is that correct?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Okay. I want to go down the road here.

23 So you and your attorney have entered a plea
24 agreement with the Government. Do you recall doing that?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: In fact, on the last page of that plea
2 agreement, Page 13, is a signature block with your name. Did
3 you sign that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Did you sign that to indicate to me that
6 you've read this and you've understood everything in that plea
7 agreement?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Other than this plea agreement, have any
10 other promises or agreements been made to you to cause you to
11 plead guilty here today? Everything -- every deal you've got
12 with the Government is in this plea agreement; is that true?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Has anyone threatened or abused you or
15 your family that caused you to plead guilty?

16 THE DEFENDANT: No, sir.

17 THE COURT: Are you under the influence of any
18 drugs, alcohol or medicines --

19 THE DEFENDANT: Oh, no.

20 THE COURT: -- other than the 17 medications you
21 referenced? That's all you're taking, right?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Okay. Do you understand this is an
24 agreement with the Government; this is not my agreement? I
25 respect these, but I don't have to follow these agreements. Do

1 you understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Now, one of the things you and your
4 attorney have talked about are the sentencing guidelines; is
5 that true?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: In fact, that's found on Page --
8 Paragraph 10, Pages 6 through 7. These guidelines are things
9 that we must calculate in every case. Mr. Kelly is an expert
10 in that, as is Mr. Kavanaugh and the United States Probation
11 Office. But, really, it's up to the judge to calculate those.
12 Do you understand that?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: So the best Mr. Kelly can do, even
15 though he's got a lot of experience, is to give you an
16 estimate. Do you understand that?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Guidelines are just one of the many
19 things that judges consider. We also consider things like your
20 history, your characteristics, the nature of the crime, the
21 need to protect the public. Those are all the types of
22 analysis that we conduct. Do you understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: You could be sentenced below the
25 guidelines or above the guidelines. The guidelines are just

1 one of the many factors we look at. Do you understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Do you understand you're pleading guilty
4 to a felony crime?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Have you ever been convicted of a felony
7 crime before?

8 THE DEFENDANT: No, sir.

9 THE COURT: You understand, then, as a convicted
10 felon, you're likely to lose valuable civil rights? Those
11 rights include, among other things, your right to vote, your
12 right to hold public office, your right to serve on a jury,
13 your right to possess firearms or ammunition. Do you
14 understand that, ma'am?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Also by pleading guilty, that means
17 we're not going to have a trial in your case. You're waiving
18 your right to trial and many trial-related rights. Those
19 include your right to persist and maintain your plea of not
20 guilty, your right to trial by jury, your right to be
21 represented by counsel and, if necessary, have the Court
22 appoint counsel at trial and every other stage of the
23 proceeding, your right at trial to confront and cross-examine
24 adverse witnesses, to be protected from compelled
25 self-incrimination, to testify and present evidence, and to

1 compel the attendance of your own witnesses. By pleading
2 guilty, you're waiving these rights as well. Do you understand
3 that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: I think you've answered my questions.
6 Do you have any questions for me?

7 THE DEFENDANT: No, sir.

8 THE COURT: Well, let's do this officially, then.
9 To the charge set forth in Count 1 of this information, do you
10 plead guilty or not guilty, Ms. Boles?

11 THE DEFENDANT: Guilty.

12 THE COURT: Very well. It is the finding of this
13 Court in this case that Ms. Iesha T. Boles is fully competent
14 and capable of entering an informed plea, that she's aware of
15 the nature of the charges, the consequences of this plea, and
16 this plea of guilty is a knowing and voluntary plea supported
17 by an independent basis in fact containing each of the
18 essential elements of the offense. Your plea is therefore
19 accepted, ma'am. You now are adjudged guilty of the offense
20 charged in Count 1 of the information.

21 At this time I'll order a pre-sentence investigation
22 to be completed. I would encourage you to cooperate with the
23 report writer so we can get a clear and accurate picture of you
24 and of this offense. As soon as that's complete, we'll meet
25 again and we'll -- is this Judge Bough's case, by chance.

1 COURTROOM DEPUTY: It will transfer to us.

2 THE COURT: It will be ours? Okay. Then we'll meet
3 again and we'll calculate the guidelines and work on an
4 appropriate sentence. Anything else on behalf of the
5 Government?

6 MR. KAVANAUGH: No, your Honor.

7 THE COURT: Thank you. Mr. Kelly, sir?

8 MR. KELLY: Just that the Court, I know, has not set
9 it, but she is continued on bond. Because we're all doing this
10 all at once, she continues on bond that was just --

11 THE COURT: That's an agreement you have with the
12 Government, right?

13 MR. KELLY: That's correct, sir.

14 THE COURT: Sure. I'll respect that. There's no
15 reason that I incarcerate her at this time, is there?

16 MR. KAVANAUGH: No reason at all.

17 THE COURT: Okay. Very good. Ms. Boles, listen,
18 you've got two jobs. One is to make yourself available to your
19 attorney so Mr. Kelly can work with you, but more important
20 than that, even, is to make yourself available to the Court so
21 we can find you and you can demean yourself to the supervision
22 of pre-trial. Can you do that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: All right. Good luck to you, ma'am.
25 Thank you.

1 MR. KELLY: Thank you, Judge.

2 (Proceedings concluded at 3:51 p.m.)

3
4 CERTIFICATE

5 I certify that the foregoing is a correct transcript
6 from the record of proceedings in the above-entitled matter.

7
8 November 4, 2019

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10
11 /s/Judy K. Moore
12 JUDY K. MOORE, CRR, RPR
13 United States Court Reporter
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